

THE SECRETARY OF EDUCATION

WASHINGTON, DC 20202

July 19, 2005

DEPARTMENT OF EDUCATION  
ELEMENTARY & SECONDARY EDUCATION

JUL 19 2005

U.S. DEPT. OF  
EDUCATION

Honorable Peter McWalters  
Commissioner of Education  
State Department of Education  
Shepard Building  
255 Westminster Street  
Providence, Rhode Island 02903

Dear Peter:

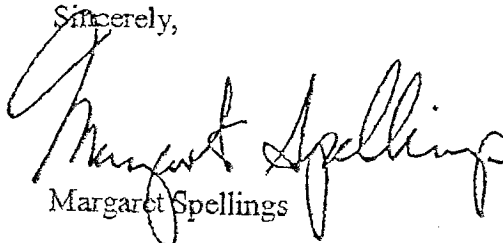
I am writing in response to the proposal submitted for the New England Common Assessment Program, which indicates the intent of New Hampshire, Rhode Island, and Vermont to move from a spring testing schedule to a fall testing schedule while adopting the assessments required by the No Child Left Behind Act of 2001 (NCLB).

Previously, the Compact States administered grade-span assessments in the spring of each year. With the transition to testing in each of grades 3-8 in 2005-06, the Compact States will now administer these assessments in the fall of each year. Under the transition authority in section 4(c) of NCLB, the States in the Compact may make determinations of adequate yearly progress (AYP) for the 2004-05 school year for elementary and middle schools by using only "the other academic indicator" they have included in their State accountability plans. These decisions will affect school and district improvement status for the 2005-06 school year. The new assessments to be given this coming fall must be used for AYP determinations for the 2005-06 school year to identify elementary and middle schools, and their districts, for improvement for 2006-07. This transition has no effect on high schools; these schools will continue to receive AYP decisions based on graduation rates, participation rates, and the reading/language arts and mathematics assessments administered in spring 2005.

I appreciate your patience as we worked through the complexities of this proposal. Please be aware that if Rhode Island does not meet all NCLB requirements, as modified by the policy set forth above, the Department may consider taking enforcement action, including withholding of a portion of your Title I State administrative funds.

I am sending an identical response to the chief State school officers of New Hampshire and Vermont. I applaud your efforts to pool your resources to create a standards and assessment system that works for all three States.

Sincerely,

  
Margaret Spellings